

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, October 10, 2007, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson William Long. Attending the meeting were board members George Harding, Patricia Heim, Darlene McNeece and Lee Anne Murray.

On motion by Harding, seconded by Heim, the board voted unanimously to approve the minutes from the September 12, 2007 regular board meeting. The motion passed the board unanimously.

Sworn Statement Submitted

07-70 Randy Fairbanks for failing to maintain adequate contribution records to report and verify campaign contribution activity. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Mr. Fairbanks has had no previous matter before the board.

The board voted at its September 12, 2007 meeting to approve Mr. Fairbanks' 2006 Second Quarter unitemized contribution audit with the included findings and to issue Mr. Fairbanks a show cause notice for failing to maintain adequate contribution records to report and verify campaign contribution activity.

Mr. Fairbanks submitted a sworn statement for the board's consideration.

On motion by Murray, seconded by Harding, the board voted unanimously to assess Mr. Fairbanks a \$50 civil penalty.

Cases Subject to Approval for Civil Penalty

07-65 Tim Barnes, for failure to file a 2007 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Barnes has had a previous matter before the board.

The board voted at its September 12, 2007 meeting to issue Mr. Barnes a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Murray, seconded by McNeece, the board voted unanimously to assess Mr. Barnes a \$250 civil penalty.

07-67 Rhea County Democratic Party, for failure to timely file a 2007 mid-year supplemental campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five dollar (\$325) civil penalty. The organization has had no previous matters before the board.

The board voted at its September 12, 2007 meeting to issue the organization a show cause notice.

Don Massengale, chairperson for the organization, provided a statement for the board's consideration.

On motion by Heim, seconded by Harding, the board voted unanimously to take no further action in this matter.

07-68 Tennessee Anesthesiologists PAC, for failure to timely file a 2007 mid-year supplemental campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty dollar (\$250) civil penalty. The organization has had no previous matters before the board.

The board voted at its September 12, 2007 meeting to issue the organization a show cause notice.

John Lyle, attorney for the organization, personally appeared before the board to explain the organization's failure to timely file the required report.

On motion by Harding, seconded by Murray, the board voted unanimously to take no further action in this matter.

Cases Considered for Issuance of Show Cause Notice

Larry Henson, for failure to timely file a 2007 mid-year supplemental campaign financial disclosure report. Class one (1), three days late, maximum seventy-five dollar (\$75) civil penalty. Mr. Henson has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to take no action in this matter.

Isaac Robinson, III, for failure to timely file a 2007 mid-year supplemental campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty dollar (\$250) civil penalty. Mr. Robinson has had a previous matter before the board.

Director Rawlins informed the board that Mr. Robinson has closed his campaign account.

On motion by Harding, seconded by Heim, the board voted unanimously to issue Mr. Robinson a show cause notice.

DCRP Candidate Fund, for failure to timely file a 2007 mid-year supplemental campaign financial disclosure report. Class one (1), 25 days late, maximum six hundred twenty-five dollar (\$625) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue the organization a show cause notice.

Perry County Republican Party, for failure to file a 2007 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue the organization a show cause notice.

Travis Kirkland (Roane County), for failure to file a 2007 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Kirkland has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue Mr. Kirkland a show cause notice.

Michael David Light (Sullivan County) for failure to file a 2007 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Light has had a previous matter before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue Mr. Light a show cause notice.

David Martin (Loudon County), for failure to file a 2007 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Martin has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted 4 to 0 to issue Mr. Martin a show cause notice, with McNeece “recusing.”

Keith Pitts (Davidson County), for failure to timely file a 2007 pre-general campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty dollar (\$250) civil penalty. Mr. Pitts has had a previous matter before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue Mr. Pitts a show cause notice.

Unitemized Contributions Audit Review

Frank Buck

On motion by Harding, seconded by Murray, the board voted unanimously to approve Rep. Buck’s 2006 Pre-General unitemized contribution campaign audit with the included findings.

On motion by Harding, seconded by Murray, the board voted unanimously to issue Rep. Buck a show cause notice for not itemizing four contributions, for accepting a \$200 cash contribution and for overstating total contributions.

Dolores Gresham

On motion by McNeece, seconded by Murray, the board voted unanimously to approve Rep. Gresham’s 2006 Pre-General unitemized contribution campaign audit with the included findings.

On motion by McNeece, seconded by Murray, the board voted unanimously to take no action in this matter.

Discussion of Jerry Cooper Campaign Finance Filings and Sworn Complaint

Per the board's request at the September Registry meeting, Director Rawlins provided the board with a summary of Sen. Cooper's campaign financial disclosure statements for the period included in the sworn complaint and explained that none of the expenditures detailed in the sworn complaint could specifically be traced to Sen. Cooper's campaign financial disclosure statements.

Opinion Request

Director Rawlins informed the board that the Registry had received a request for an opinion on whether the involvement of an individual in the governance and/or administration of a registered multi-candidate committee (PAC) as a treasurer or other official resulted in a contribution made by the PAC to the candidate as being attributed to the individual involved.

Director Rawlins provided the board with the draft opinion on the Attribution of Contributions from Multi-Candidate Committees (PACs).

On motion by Heim, seconded by Murray, the board voted unanimously to adopt the opinion.

Reported Financial Expenses

Director Rawlins provided the board members with a list of civil penalties that have been paid year to date.

Director Rawlins presented the expenditure reports for the 2006/2007 fiscal year through August 30, 2007.

Other Business

Long, seconded by Murray made a motion, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.